

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-19 are pending in the application. Claims 1, 9 and 18 have been amended. Claim 20 has been added. Claim 17 has been canceled.

The Examiner indicated claims 12-16 are in condition for allowance. Applicant thanks the Examiner. The remaining comments are directed to the rejected claims.

The Examiner rejected claims 9, 17 and 18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly pointed out and distinctly claim the subject matter which application regards as the invention. Applicant has amended claims 9 and 18. Applicant believes that the claims as amended overcome the Examiner's rejection. Applicant has cancelled claim 17 because it is the same as claim 18.

The Examiner rejected claims 1-3, 5, and 7 under 35 U.S.C. § 102(b) as being anticipated by Aharoni (5,694,552). Applicant respectfully disagrees. Claim 1 is a computer-implemented process that performs a number of steps. The financing methods set forth in the sections of Aharoni cited by the Examiner does not disclose a computer-implemented method. In fact, there is no computer-implemented procedure discussed. Furthermore, the method set forth in claim 1 requires receiving from the biller, a legally binding commitment to pay the amount of the invoice that is directly authorized by the payer to the intermediary if the payer does not pay the amount of the invoice to the intermediary. Nothing disclosed in Aharoni discloses such a feature. In view of this, Applicant respectfully submits the present invention as claimed is not anticipated by Aharoni.

The Examiner rejected claims 1-11 under 35 U.S.C. § 103(a) as being unpatentable over Aharoni in view of Kight et al. (20020062282).

As set forth above, Aharoni does not disclose the computer-implemented processing, nor does it disclose receiving from the biller, a legally binding commitment to pay the amount of the invoice that is directly authorized by the payer to the intermediary if the payer does not pay the amount of the invoice to the intermediary. Kight does not overcome these deficiencies. That is, Kight also does not disclose receiving from the biller, a legally binding commitment to pay the amount of the invoice that is directly authorized by the payer to the intermediary if the payer does not pay the amount of the invoice to the intermediary.

Moreover, to establish prima facie case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Applicant respectfully submits that even if Aharoni did disclose all the details, there is no suggestion in Aharoni nor in Kight for computer-implemented invoicing process that performs a computer-implemented operation of receiving from a biller, a legally binding commitment to pay the amount of the invoice that is directly authorized by the payer to the intermediary if the payer does not pay the amount of the invoice to the intermediary. In view of this, Applicant respectfully submits the present invention as claimed is not obvious in view of the combination of Aharoni and Kight.

Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 103(a) has been overcome by the amendments and the remarks. Applicant submits that claims 1-11 as amended are now in condition for allowance and such action is earnestly solicited.

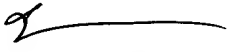
Accordingly, Applicants respectfully submit that the rejections under § 112, § 102 and § 1103 have been overcome by the amendments and the remarks and withdrawal of these rejections is respectfully requested. Applicants submit that Claims 1-19 as amended are in condition for allowance and such action is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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